

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
	§	
CLARKE GIBSON RESTARUANT GROUP, LLC	§	CASE NO. 24-30242
	§	
Debtor	§	Chapter 11
	§	

UNOPPOSED MOTION TO DISMISS VOLUNTARY PETITION

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU.

IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

A HEARING WILL BE CONDUCTED ON THIS MATTER ON JULY 9, 2024 @ 11AM IN COURTROOM 403, 515 RUSK ST. HOUSTON, TEXAS 77002. THE HEARING WILL BE HELD ON A HYBRID BASIS. PARTIES MAY APPEAR EITHER REMOTELY OR IN PERSON UNLESS THE COURT ORDERS OTHERWISE.

TO APPEAR ELECTRONICALLY GO TO <https://www.gotomeet.me/JudgeNorman>. YOU MUST CONNECT BY TELEPHONE: 832-917-1510. CONFERENCE CODE NO: 174086

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, CLARKE GIBSON RESTARUANT GROUP, LLC, Debtor in the above-referenced Bankruptcy Case and files this Unopposed Motion to Dismiss Voluntary Petition and

support thereof would show the following:

I.

CLARKE GIBSON RESTARUANT GROUP, LLC, filed a voluntary petition under Chapter 11 of the Bankruptcy Code on January 24, 2024, that commenced this bankruptcy case.

II.

The Debtor now believes that it can affect reorganization outside the scope of the protection afforded to the Debtor under Title 11 of the United States Code.

III.

Debtor is current on its U.S. Trustee Quarterly Fees. Debtor has also filed its latest operating report for the period of April 2024. Debtor anticipates that Debtor's May operating report will be filed prior to a hearing set on the instant motion.

IV.

The Debtor no longer desires to pursue this matter in Bankruptcy Court. Debtor's attorney has contacted Jana Whitworth of the U.S. Trustee's office. She does not oppose the filing of this motion.

WHEREFORE, Debtor prays that the Order for Relief resulting from the filing of the voluntary petition for relief under Chapter 11 of the Code be dismissed without prejudice, and that this Court grant to Debtor such other and further relief to which Debtor may be justly entitled.

Dated: June 6, 2024

Respectfully submitted,

By: /s/ Aaron W. McCardell Sr.

Aaron W. McCardell Sr.

TBN: 24120996

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440 Louisiana Street, Ste. 1575

Houston, TX 77002

713-236-8736

713-236-8990 (Fax)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of this Motion was delivered by U.S. Mail, Postage Prepaid, facsimile, and/or electronic delivery to the creditors, the United States Trustee, equity holders, those parties registered to receive electronic notice of filings in this case through the Court's ECF notification, all parties requesting notice, and all affected parties listed in the attached service list on this 6th day of June 2024.

/s/ Aaron W. McCardell Sr.

Aaron W. McCardell Sr.

Label Matrix for local noticing
0541-4
Case 24-30242
Southern District of Texas
Houston
Thu Jun 6 21:14:19 CDT 2024

Harris County, ATTN: Property Tax Division
Harris County Attorney's Office
P.O. Box 2848
Houston, TX 77252-2848

Unity National Bank
c/o Bickerstaff Heath Delgado Acosta LLP
5444 Westheimer Rd.
Suite 1000
Houston, TX 77056-5318

AltCap Texas
c/o Lynn Hamilton Butler
Husch Blackwell LLP
111 Congress Avenue, Suite 1400
Austin, TX 78701-4093

Amsterdam Capital Group Inc.
135 E 57th St. Ste 110
New York, NY 10022-2182

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Harris County Water Control and
Improvement District #145
11111 Katy Freeway, Suite 725
Houston, TX 77079-2175

JPMorgan Chase Bank, N.A.
s/b/m/t Chase Bank USA, N.A.
c/o Robertson, Anschutz, Schneid,
Crane & Partners, PLLC
6409 Congress Avenue, Suite 100
Boca Raton, FL 33487-2853

Lone Star College System
c/o Jeannie L. Andresen
Linebarger Goggan Blair & Sampson LLP
PO Box 3064
Houston, TX 77253-3064

Rewards Network Cash Advance
540 W Madison St Suite 2400
Chicago, Illinois 60661-2562

Clarke Gibson Restaurant Group, LLC
8604 HWY 6 N
Houston, TX 77095-2101

Lone Star College System
Linebarger Goggan Blair & Sampson LLP
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Houston, TX 77253-3064

4
United States Bankruptcy Court
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Houston, TX 77208-1010

American Express
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Los Angeles, CA 90096-8000

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150 Worth Avenue
Suite 224
Palm Beach FL 33480-4410

Comptroller of Public Accounts
C/O Office of the Attorney General
Bankruptcy - Collections Division MC-008
PO Box 12548
Austin TX 78711-2548

Harris County, et al.
P.O. Box 2848
Houston, TX 77252-2848

Khan Development Inc
P.O. Box 680608
Houston Texas 77268-0608

PayPal Business
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5414 Wisteria Brook Ln
Spring, Texas 77379-3312

Harris County ESD #09
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Texas Comptroller of Public Accounts, Revenue
Kimberly A. Walsh
PO Box 12548
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Alt Cap
300 E 39th Street, Suite 3G
Kansas City, Missouri 64111-1531

American Express National Bank
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

Carl Grady Thomas III
8604 HWY 6 North
Houston Texas 77095-2101

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c/o Jeannie L. Andresen
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(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

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Houston, Texas 77002-1053

Restaurant Technologies
8781 West Rd Suite 190
Houston, Texas 77064-1455

Small Business Administration
P.O. Box 3918
Portland, OR 97208-3918

Texas Workforce Commission
Office of Attorney General
BK/Collections
P.O. BOX 12548, MC008
Austin, TX 787112548

US Trustee
Office of the US Trustee
515 Rusk Ave
Ste 3516
Houston, TX 77002-2604

Unity National Bank
2602 Blodgett St.
Houston, Texas 77004-5316

Unity National Bank, N.A.
c/o Kwame Caine
2602 Blodgett St.
Houston, TX 77004-5316

Aaron W. McCardell Sr.
The McCardell Law Firm, PLLC
440 Louisiana
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Houston, TX 77002-1053

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Chase Business
P.O. Box 15299
Wilmington, DE 19850-5299

Internal Revenue Service
P.O. Box 21126
Philadelphia, PA 19114

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Harris County Water Control and Improvemen

(d)Clarke Gibson Restaurant Group, LLC
8604 HWY 6 N
Houston, TX 77095-2101

End of Label Matrix	
Mailable recipients	34
Bypassed recipients	2
Total	36